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14 *Counsel for Co-Lead Plaintiffs and*
Co-Lead Counsel for the Class

15 [additional counsel on signature page]

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 SAN FRANCISCO DIVISION

19 Master File No. 3:20-CV-06733-MMC

20 IN RE AIMMUNE THERAPEUTICS, INC.
21 SECURITIES LITIGATION

22 **STIPULATION AND
[PROPOSED] ORDER
REGARDING CONTINUANCE
OF NOVEMBER 1, 2024
HEARING ON SUMMARY
JUDGMENT AND DAUBERT
MOTIONS**

1 Pursuant to the Court's Standing Order No. 7, Co-Lead Plaintiffs Bruce Svitak and Cecilia
2 Pemberton ("Plaintiffs") and Defendants Aimmune Therapeutics, Inc. and Jayson D.A. Dallas
3 ("Defendants", and, together with Plaintiffs, the "Parties"), by and through their counsel of
4 record, hereby stipulate as follows, subject to Court approval:

5 WHEREAS, the hearing on the Parties' pending motions for summary judgment and
6 *Daubert* motions is scheduled for 9:00 a.m. on November 1, 2024; and

7 WHEREAS, the Parties are in settlement discussions with mediator David Murphy
8 of Phillips ADR Enterprises (PADRE) and seek to continue the November 1, 2024 motion
9 hearing by one-week to allow them additional time to attempt to reach a settlement;

10 NOW THEREFORE, the Parties, by and through their undersigned counsel of record,
11 stipulate as follows, subject to Court approval:

- 12 1. The motion hearing scheduled for 9:00 a.m. on November 1, 2024 is continued to 9:00
13 a.m. on November 8, 2024.
- 14 2. All other deadlines and scheduled events shall remain unchanged.

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1 Dated: October 31, 2024

Respectfully submitted,

2 MONTEVERDE & ASSOCIATES PC

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4 By: /s/ Juan E. Monteverde

5 Juan E. Monteverde (admitted *pro hac*
vice)

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7 KAHN SWICK & FOTI, LLC

8 By: /s/ Michael J. Palestina

9 Michael J. Palestina (admitted *pro hac*
vice)

10 *Counsel for Co-Lead Plaintiffs and Co-Lead*
11 *Counsel for the Class*

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13 LATHAM & WATKINS LLP

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15 By: /s/ Kristin Murphy

16 Kristin Murphy

17 *Attorneys for Defendants Aimmune*
18 *Therapeutics, Inc. and Jayson D.A. Dallas*

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ECF SIGNATURE CERTIFICATION

I, Juan E. Monteverde, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER. In compliance with Civil L.R. 5-1(h)(3), I hereby attest that all signatories concur in this filing.

Dated: October 31, 2024

By: /s/ Juan E. Monteverde
Juan E. Monteverde

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2 **ORDER**

3 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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5 DATED: _____

6 MAXINE M. CHESNEY
7 SENIOR UNITED STATES DISTRICT JUDGE

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